

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Marie Assa'ad-Faltas,

PLAINTIFF

v.

Washava Moye, Henry Dargan  
McMaster, Donald John Zelenka, All  
Other Unknown-Named Persons, and  
Sara Heather Savitz Weiss,

DEFENDANTS

Case No. 3:22-cv-02018-TLW

**Order**

Plaintiff Marie Assa'ad-Faltas, ("Plaintiff"), proceeding *pro se* and *in forma pauperis*, filed this second amended complaint pursuant to 42 U.S.C. § 1983 against Washava Moye ("Director Moye"), Interim Director of Alvin S. Glenn Detention Center ("ASGDC"), Governor Henry Dargan McMaster ("Governor McMaster"), Deputy Attorney General Donald John Zelenka ("AG Zelenka"), All Other Unknown-Named Persons who injured and/or conspired to injure her ("All Other Unknown-Named Persons"), and Assistant Attorney General Sara Heather Savitz Weiss ("AG Weiss") (collectively "Defendants"). [ECF No. 23]. This matter is now before the Court for review of the Report and Recommendation (the "Report") filed by United States Magistrate Judge Shiva V. Hodges, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B). The Report recommends that this Court dismiss



Plaintiff's second amended complaint with prejudice. ECF No. 26. Plaintiff filed timely objections to the Report on October 7, 2022, ECF No. 28, and this matter is now ripe for disposition.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. In reviewing the Report, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections the Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

*Wallace v. Hous. Auth. of City of Columbia*, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in *Wallace*, the Court has reviewed, *de novo*, the filings by the parties, the Report, and the objections. The Court has also reviewed the exhibits attached to Plaintiff's objections.



ECF No. 28-1. After careful consideration, the Court concludes that the Plaintiffs objections offer no showing, either factually or legally that the Report should be rejected. Therefore, **IT IS ORDERED** that the Report, ECF No. 26, is **ACCEPTED**, and the Objections to the Report, ECF No. 28, are **OVERRULED**. For the reasons stated in the Report and those stated herein, Plaintiffs second amended complaint is **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
Terry L. Wooten  
Senior United States District Judge

November 7, 2022  
Columbia, South Carolina